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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
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3 UNITED STATES OF AMERICA,

4 v.

20 CR 661 (CM)

5 AMIR BRUNO ELMAANI,

6 Defendant.

7 -----x

8 New York, N.Y.
9 January 27, 2022
2:30 p.m.

10 Before:

11 HON. COLLEEN MCMAHON,

12 District Judge

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14 APPEARANCES

15 DAMIAN WILLIAMS

16 United States Attorney for the
Southern District of New York

17 BY: MARGARET GRAHAM
Assistant United States Attorney

18 TODD A. SPODEK
19 Attorney for Defendant
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(Case called)

LAW CLERK: Your appearance, please.

MS. GRAHAM: Good afternoon, your Honor. Margaret Graham for the government, joined by Chris Jun, special agent with the FBI.

THE COURT: Good afternoon.

MR. SPODEK: Good afternoon, your Honor. Todd Spodek, Spodek Law Group for Mr. Amir Brown Elmaani.

THE COURT: Have a seat and stay seated. It's much easier for you to remain seated and use the microphone.

OK. We have new counsel. Hello, Mr. Spodek. Welcome to you.

What is going on?

MS. GRAHAM: Yes, your Honor. As you noted, since our last conference on November 2, Mr. Elmaani has retained new counsel. My understanding is he received the file from prior counsel, and our proposal today is that while he reviews the case file and produces discovery, in 30 days we propose sending a joint letter to the court proposing a schedule for pretrial motions.

THE COURT: You want to send a letter in 30 days with a schedule for pretrial motions?

MS. GRAHAM: Yes, your Honor.

He just recently got the file, and so he is still familiarizing himself with the material and the size. And I

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1 think it is hard for him to estimate how long he'll need to
2 prepare motions at this point.

3 THE COURT: OK. You also have a protective order that
4 you want me to sign?

5 MS. GRAHAM: Yes, your Honor. I've shared it with
6 defense counsel. It was also publicly docket and agreed upon
7 by both parties.

8 THE COURT: OK. That is signed.

9 Now, Mr. Spodek?

10 MR. SPODEK: Your Honor, the government is correct.
11 I actually received the file earlier today and started to
12 review it. I certainly do need some time. I think 30 days for
13 me to estimate how long any pretrial motions would take would
14 be fair. I've spoken to my client about it as well as an
15 exclusion of time, and he is on board.

16 THE COURT: Well, in that case, why should I upset
17 your agreement. I will expect to hear from you, let's say,
18 actually by March 1. I will expect to hear from you with a
19 schedule for pretrial motions, and if there aren't going to any
20 pretrial motions, you will certainly tell me that as well, and
21 then we will put you back on the calendar.

22 Time is excluded on consent by the defendant and in
23 the interest of justice. Defendant has retained new counsel
24 who needs to familiarize himself with the file. I'm going to
25 exclude time. Since we're not setting a conference date today,

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1 I'm going to exclude time until April 29.

2 LAW CLERK: Judge, I'm just going to create a
3 tentative date there of April 29, and tweak it just so the
4 court can exclude time the way they do.

5 THE COURT: As you wish.

6 LAW CLERK: April 29 at two o'clock.

7 THE COURT: As you wish.

8 LAW CLERK: Thank you, Judge.

9 THE COURT: OK. Anything else that we have to discuss
10 today?

11 MS. GRAHAM: Nothing from the government, your Honor.

12 THE COURT: All right. Fine.

13 MR. SPODEK: Thank you, your Honor.

14 THE COURT: Welcome to the case, Mr. Spodek.

15 MR. SPODEK: Thank you.

16 MS. GRAHAM: Thank you, your Honor.

17 (Adjourned)